

CAUSE NO. DC-17-07929

JEFFREY GRAY, DAWN GRAY,  
AND BRAVE OPTICAL, INC.

Plaintiffs,

v.

GUTMAN VISION, INC.,  
ALEX GUTMAN, MILANA GUTMAN,  
LUXOTTICA OF AMERICA INC.,  
f/k/a LUXOTTICA RETAIL NORTH  
AMERICA INC., AND  
EYEMED VISION CARE LLC.

Defendants.

IN THE DISTRICT COURT OF

101<sup>ST</sup> JUDICIAL DISTRICT

DALLAS COUNTY, TEXAS

**ORDER ON SUMMARY JUDGMENT**

On March 7, 2022, the Court heard argument on Luxottica of America Inc.'s and EyeMed Vision Care, LLC's First Amended Motion for Summary Judgment (the "Motion"). After considering the Motion, all responsive briefing, the evidence, relevant law, and the arguments of counsel, the Court finds that the Motion should be granted entirely.

**IT IS THEREFORE ORDERED** that Luxottica of America Inc. f/k/a Luxottica Retail North America Inc. and EyeMed Vision Care, LLC's No Evidence Motion for Summary Judgment is GRANTED in its entirety.

**IT IS FURTHER ORDERED** that Luxottica of America Inc. f/k/a Luxottica Retail North America Inc. and EyeMed Vision Care, LLC's Traditional Motion for Summary Judgment is GRANTED in its entirety.

**IT IS FURTHER ORDERED** that all claims Plaintiffs Jeffrey Gray, Dawn Gray, and Brave Optical, Inc. ("Plaintiffs") asserted, or could have asserted, in the above-captioned and numbered lawsuit against Luxottica of America Inc. are dismissed WITH PREJUDICE and that the Plaintiffs shall take nothing in their claims against Luxottica of America Inc.

**IT IS FURTHER ORDERED** that all claims Plaintiffs asserted, or could have asserted, in the above-captioned and numbered lawsuit against EyeMed Vision Care, LLC are dismissed WITH PREJUDICE and that Plaintiffs shall take nothing in their claims against Eyemed Vision Care, LLC.

**IT IS FURTHER ORDERED** that this summary judgment disposes of all claims brought by Plaintiffs against Luxottica of America Inc. and EyeMed Vision Care, LLC.

**IT IS FURTHER ORDERED** that Plaintiffs Brave Optical, Inc., Jeffrey Gray, and Dawn Gray are indebted to Luxottica of America, Inc. in the amount of \$351,048.15, plus pre and post-judgment interest as allowed by law.

SIGNED on March 15, 2022.

  
HONORABLE STACI WILLIAMS